

**IN THE UNITED STATES BANKRUPTCY  
COURT FOR THE EASTERN DISTRICT OF  
TEXAS SHERMAN DIVISION**

**IN RE:**

**FRANK MCLAIN MORGAN**

**Debtor**

§  
§  
§  
§  
§

**CASE NO. 19-40893**

**CHAPTER 13**

**UNOPPOSED MOTION TO EXTEND DEBTOR'S TIME TO FILE OBJECTION  
TO PROOF OF CLAIM # 6 FILED BY THE INTERNAL REVENUE SERVICE**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Frank McLain Morgan, ("Debtor") respectfully files this motion to extend his time to object to Proof of Claim # 6 Filed by the Internal Revenue Service by 60 days to July 20, 2020. The Internal Revenue Service does not oppose the requested extension. The Chapter 13 Trustee does not oppose the requested extension.

1. Debtor filed for bankruptcy protection under Chapter 13 on April 1, 2019.
2. Debtor filed a Chapter 13 plan on November 23, 2019.
3. The Court issued its confirmation order on January 10, 2020.
4. The Trustee's Reconciliation Concerning Claims ("TRCC") was filed on April 29, 2020.
5. The current deadline to file claim objections is May 20, 2020 (the 21-first day following service of the TRCC).

**Cause for Extending Time to File Objection**

6. Debtor is interested in entering into to agreements with his mortgage creditor and the IRS to permit him to exit bankruptcy and submit an offer in compromise of his tax debt.

7. Debtor is a dentist and he is currently unable to work due to the corona virus.

8. Additional time is needed to evaluate Debtor's future income for the purpose of settlement negotiations.

**No Prejudice to the Parties**

9. Counsel for the IRS does not oppose the requested extension.

10. The Chapter 13 Trustee does not oppose the requested extension.

11. The extension is sought to permit negotiations to be conducted without the presence of a contested or adversarial filing.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that the Court: (1) Enter an order extending the time for Debtor to file an objection to Proof of Claim # 6 filed by the Internal Revenue Service to July 20, 2020; and (2) Grant any other such relief as the Court determines just and proper.

Dated: May 18, 2020

Respectfully submitted,

THE MITCHELL LAW FIRM, L.P.  
1412 Main Street, Suite 500  
Dallas, Texas 75202  
(972) 463-8417 - Office  
(972) 432-7540 - Facsimile

By: /s/ Gregory W. Mitchell

Gregory W. Mitchell  
State Bar ID: 00791285  
greg@mitchellps.com  
George D. Wigington  
State Bar ID: 24091665  
dale@mitchellps.com

ATTORNEY FOR DEBTOR

**CERTIFICATE OF CONFERENCES**

I certify that on May 15, 2020 at 9:44 am Ruth Yeager, counsel for IRS, emailed me advising that she does not oppose a 60-day extension of the bar date to object to the IRS Proof of Claim.

I certify that on May 18, 2020 at 1:39 pm Jeff LeForce, counsel for the Chapter 13 Trustee, advised in an email that he was not opposed to a 60-day extension of the bar date to object to the IRS Proof of Claim.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 18, 2020, a true and correct copy of the foregoing was served on all parties in interest below via CM/ECF.

**CREDITOR**

Internal Revenue Service  
P.O. Box 7346  
Philadelphia PA 19101-7346  
*Ruth.Yeager@usdoj.gov*  
*Cheryl.D.Fowler@irs.gov*

**STANDING CHAPTER 13 TRUSTEE**

**Carey D. Ebert**  
P. O. Box 941166  
Plano, TX 75094-1166  
*ECFch13plano.com*

**PARTIES REQUESTING NOTICE**

Attorney for Rockwall CAD  
Melissa L. Palo  
LINEBARGER GOGGAN BLAIR & SAMPSON, LLP  
2777 N. Stemmons Freeway, Suite 1000  
DALLAS, TX 75207  
*dallas.bankruptcy@publicans.com*

/s/ Gregory W. Mitchell  
Gregory W. Mitchell